

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

Index No.:

-----X  
JHONEL ANTONIO ESTEVEZ FERNANDEZ,

Filed:

Plaintiff,

Plaintiff designates  
Bronx County as the  
Place of Trial

-against-

COWAN SYSTEMS, LLC and VICTOR MANUEL  
PEREZ,

**SUMMONS**

Defendants.  
-----X

The basis of venue is location  
of the accident.

**To the above named Defendants:**

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this Summons, to served a notice of appearance, in the Plaintiff's Attorney(s) within 20 days after the service of this Summons, exclusive of the day of service (or within 30 days after the service is complete if this Summons is not personally delivered to you within the State of New York); and if you fail to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Queens, New York  
August 28, 2024

**LEVY & BORUKH, PLLC**

*David S. Levy*

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DAVID S. LEVY, ESQ.

*Attorneys for Plaintiff*

**JHONEL ANTONIO ESTEVEZ FERNANDEZ**

8593 66<sup>th</sup> Avenue, 2nd Floor

Rego Park, New York 11374

(718) 433-9465 (phone)

(718) 433-9176 (fax)

dlevy@levyborukhlaw.com

**TO:**

**COWAN SYSTEMS, LLC, 428 Campfield Avenue, Hartford, CT, 06114**

- **Registered Agent Address:** C/O CORPORATION SERVICE COMPANY, 80 STATE STREET, ALBANY, NY 12207

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 08/28/2024

**VICTOR MANUEL PEREZ:** 428 Campfield Avenue, Hartford, CT, 06114

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

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JHONEL ANTONIO ESTEVEZ FERNANDEZ,

Plaintiff,

-against-

COWAN SYSTEMS, LLC and VICTOR MANUEL  
PEREZ,

Defendants.  
-----X

Index No.:

Date Purchased:

**VERIFIED COMPLAINT**

Plaintiff, JHONEL ANTONIO ESTEVEZ FERNANDEZ, by his attorneys, LEVY & BORUKH, PLLC, complaining of the Defendants herein alleges as follows:

1. Plaintiff, JHONEL ANTONIO ESTEVEZ FERNANDEZ, is a resident of the County of Nassau, State of New York.
2. The cause of actions complained of herein arose in the County of Bronx, State of New York.
3. Upon information and belief, Defendant COWAN SYSTEMS, LLC was and still is a foreign limited liability company duly authorized to conduct business in the State of New York.
4. Upon information and belief, Defendant COWAN SYSTEMS, LLC was and still is doing business in the State of New York.
5. Upon information and belief, Defendant VICTOR MANUEL PEREZ is a resident of the City of Hartford, State of Connecticut.
6. On or about March 20, 2024, Defendant COWAN SYSTEMS, LLC was the registered owner of a motor vehicle bearing Connecticut License Plate 69841A.

7. On or about March 20, 2024, Defendant VICTOR MANUEL PEREZ was operating the aforesaid motor vehicle that was owned by Defendant COWAN SYSTEMS, LLC.
8. On or about March 20, 2024, Defendant VICTOR MANUEL PEREZ was employed by Defendant COWAN SYSTEMS, LLC.
9. On or about March 20, 2024, Defendant VICTOR MANUEL PEREZ was an agent of Defendant COWAN SYSTEMS, LLC.
10. On or about March 20, 2024, Defendant VICTOR MANUEL PEREZ was operating the aforesaid motor vehicle with the permission and consent of COWAN SYSTEMS, LLC.
11. On or about March 20, 2024, Defendant VICTOR MANUEL PEREZ was operating the aforesaid motor vehicle in the scope of his employment for COWAN SYSTEMS, LLC.
12. On or about March 20, 2024, Defendant VICTOR MANUEL PEREZ was operating the aforesaid motor vehicle in the scope of his agency with COWAN SYSTEMS, LLC.
13. On or about March 20, 2024, Plaintiff JHONEL ANTONIO ESTEVEZ FERNANDEZ was operating a motor vehicle bearing New York License Plate HYU3816.
14. On or about March 20, 2024, Defendants' motor vehicle came in contact with the vehicle owned and operated by Plaintiff JHONEL ANTONIO ESTEVEZ FERNANDEZ.
15. The aforesaid incident occurred at or about the I95 New England Thruway, heading Northbound, at or near the intersection of Donizetti Place, at or near the intersection of Donizetti Place, in the County of Bronx, State of New York.
16. By reason of the foregoing, Plaintiff JHONEL ANTONIO ESTEVEZ FERNANDEZ sustained personal injuries.

17. By reason of the foregoing, Plaintiff JHONEL ANTONIO ESTEVEZ FERNANDEZ.  
sustained serious personal injuries as defined by Section 5102 of the Law of the State of New York.
18. By reason of the foregoing, Plaintiff JHONEL ANTONIO ESTEVEZ FERNANDEZ. was caused to sustain severe and permanent personal injuries, and to have suffered pain, shock, mental anguish; that these injuries and their effects will be permanent; as a result of said injuries Plaintiff was caused and will continue to be caused to incur expenses for medical care and attention; and Plaintiff was and will continue to be rendered unable to perform Plaintiff's normal activities and duties and has sustained a resultant loss therefrom, and Plaintiff was otherwise damaged.
19. The aforesaid incident and injuries sustained by Plaintiff JHONEL ANTONIO ESTEVEZ FERNANDEZ were the result of the negligence of the Defendants herein.
20. The aforesaid incident and the injuries sustained by Plaintiff JHONEL ANTONIO ESTEVEZ FERNANDEZ were the result of the negligence of the Defendants herein in the ownership, operation, control, maintenance, supervision, entrustment, and/or repair of their motor vehicle.
21. The aforesaid incident and the resulting injuries sustained by Plaintiff JHONEL ANTONIO ESTEVEZ FERNANDEZ did not result from any negligence or fault of said Plaintiff.
22. This action falls within one or more of the exceptions set forth in CPLR Section 1602.
23. By reason of the foregoing, Plaintiff JHONEL ANTONIO ESTEVEZ FERNANDEZ has been damaged in a sum in excess of the jurisdictional limits of all other Courts that would otherwise have jurisdiction.

24. By reason of the foregoing, Plaintiff sustained serious injuries and economic loss greater than basic economic loss as defined by § 5104 of the Insurance Law of the State of New York.

**WHEREFORE**, Plaintiff demands judgment against the Defendants in an amount in excess of the jurisdictional limits of all other Courts that could otherwise have jurisdiction over this matter, together with interest and the costs and disbursements of this action.

Dated: Queens, New York  
August 28, 2024

LEVY & BORUKH, PLLC

By: David S. Levy  
DAVID S. LEVY, ESQ.  
Attorneys for Plaintiff  
8593 66<sup>th</sup> Avenue, 2nd Floor  
Rego Park, New York 11374  
(718) 433-9465 (phone)  
(718) 433-9176 (fax)

**ATTORNEY VERIFICATION**

DAVID S. LEVY, an attorney admitted to practice law before the Courts of the State of New York, and associated with the firm of LEVY & BORUKH, PLLC, attorneys for the Plaintiff JHONEL ANTONIO ESTEVEZ FERNANDEZ, affirms the following:

That I have read the foregoing VERIFIED COMPLAINT and know the contents thereof, that the same is true to my own knowledge except as to those matters which are stated therein to be alleged upon information and belief, and as to those matters, I believe them to be true.

That the information contained therein was obtained based upon a review of Plaintiff's legal case file.

That the reason this verification is made by your affirmant and not by the Plaintiff is because the Plaintiff does not reside within Queens County, where LEVY & BORUKH, PLLC, maintains its office.

The undersigned affirms that the foregoing statement is true under the penalties of perjury

Dated: Queens, New York  
August 28, 2024

David S. Levy  
DAVID S. LEVY, ESQ.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

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Plaintiff,

-against-

COWAN SYSTEMS, LLC and VICTOR MANUEL PEREZ,

Defendants.

SUMMONS & VERIFIED COMPLAINT

LEVY & BORUKH, PLLC  
*Attorneys for Plaintiff*  
8593 66<sup>th</sup> Avenue, 2<sup>nd</sup> Floor  
Rego Park, New York 11374  
(718) 433-9429 (t)  
(718) 433-9176 (f)

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